

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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THOMAS ANDREW CENSKE,

Plaintiff,

v.

Case No. 2:11-CV-119

COUNTY OF MARQUETTE, et al.,

HON. GORDON J. QUIST

Defendants.

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**ORDER**

Plaintiff has filed an Objection to Magistrate Judge Greeley's Report and Recommendation entered on March 8, 2012, in which Magistrate Judge Greeley recommends that Plaintiff's motion for protective order and/or preliminary injunction be denied. The magistrate judge recommended denial based upon Defendant's representation that the Marquette County Sheriff's Department will inform the United States Marshal's Service that alternative housing should be found for Plaintiff while he is in Marquette for sentencing in his criminal case, *United States v. Censke*, No. 2:08-cr-19 (W.D. Mich.). The magistrate judge recommended denial because Plaintiff's motion is moot in light of Defendant's representations that Plaintiff will not be housed at the Marquette County Jail upon his return to Marquette.

The Court has conducted a *de novo* review of the Report and Recommendation, in light of Plaintiff's Objections, and concludes that the Report and Recommendation should be adopted.

In spite of Plaintiff's Objections, Plaintiff fails to offer any reason to doubt Defendant's representation that the Marquette County Jail will inform the Marshal's Service to find alternate housing for Plaintiff. At this juncture, it appears that Plaintiff will not be housed at the Marquette County Jail. Thus, his motion is moot. Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation issued on March 8, 2012, is **ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Protective Order and/or Preliminary Injunction (docket no. 25) is **DENIED**.

Dated: May 7, 2012

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE